

**REMARKS**

Applicant respectfully requests reexamination, reconsideration and allowance of this application, including claims 13-20 rejected under 35 U.S.C. § 112, claim 8 rejected under 35 U.S.C. § 102(e), and of claims 9-26 rejected under 35 U.S.C. § 103(a). This Amendment and Reply is sent with a petition for a one month extension of time.

***I. Claims 13-20 stand rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter.***

Regarding claims 13-20, Applicant amended the claims as recommended by the Examiner.

The foregoing amendments resolve the 35 U.S.C. § 112 issues. Therefore, Applicant respectfully submits that upon entry of the amendments and reconsideration, the application will be in condition for allowance, and earnestly solicits a Notice of Allowance.

***II. Claim 8 stands rejected under 35 U.S.C. § 102(e) as being anticipated by King et al.***

The Action notes on page 3 that the disclosure of *King et al.* “teaches a system that determines the voltage (amplitude) of the received radio command.” The Action asserts that element 102 of FIG. 2 in *King et al.* discloses where that received voltage is compared to a reference voltage. This reference voltage is a feature of the control circuit. See ¶ 0023.

The disclosure of *King et al.* does not teach, suggest or anticipate claim 8 under 35 U.S.C. § 102(e). Applicant’s claim 8, as amended, includes, among other things, “determining at least a first electromagnetic characteristic of a field and a second electromagnetic characteristic of a field caused by the radio-electrical command in the vicinity of a device for receiving radio-electrical commands” and then “comparing the first characteristic to a second characteristic.” Both characteristics are electromagnetic characteristics of the received signal, and neither is a feature of the controller.

The disclosure of *King et al.* does not teach, suggest or anticipate under 35 U.S.C. § 102(e) claim 8’s method of determining distance. Applicant’s claim 8, as amended, recites, among other things, “determining whether the transmission point of the radio-electrical command lies in a so-called near-field zone or in a so-called far-field zone.” Applicant’s method determines distance by comparing a first electromagnetic characteristic of the signal to a second electromagnetic characteristic. The reference voltages taught in the disclosure of *King et al.* are

a feature of the control circuit, and are pre-determined to calculate the distance between the receiver/vehicle and the transmitter.

For these reasons, and particularly that the disclosure of *King et al.* compares RSSI voltages to a reference voltage in the control circuit, it is submitted that *King et al.* does not anticipate Applicant's claim 8.

**III. Claims 9-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *King et al.* and further in view of *Okada* and *Ghabra et al.***

The Action asserts on page 3 that the disclosure of *Okada* "teaches a plurality of antennas arranged around the car." The Action also asserts that "signals are received at each of the antenna locations." However, according to FIG. 1 of the disclosure of *Okada*, a vehicle-mounted apparatus 10 has first to fourth *transmission* antennas 11 to 14. According to FIG. 1 and FIG. 3 of *Okada*, the vehicle is equipped with a receiving antenna 22 that receives signals from the mobile unit 60. Therefore, the disclosure of *Okada* only teaches one receiving location.

The disclosure of *Okada* in view of the disclosure of *King et al.* does not teach, suggest or anticipate claim 9 under 35 U.S.C. § 103(a). Applicant's claim 9, as amended, includes, among other things, "receiving a signal that relates to the magnetic component of the electromagnetic wave carrying the radio-electrical command, at two points lying substantially one behind the other in the direction coming from the transmission point." The disclosure of *Okada* does not teach receiving a signal of an electromagnetic wave at more than one point. According to FIG. 1 of *Okada*, antennas 11, 12, 13 and 14 are transmitting antennas. The only antenna located on the vehicle able to receive signals is antenna 22. Col. 3, ll. 40-60; Col. 4, ll. 5-7. Additionally, the disclosure of *Okada* does not resolve the deficiency found in the disclosure of *King et al.* and does not teach a comparison of a signal's electromagnetic characteristics at two points.

Claims 10-20 include all the limitations of claim 8, and are patentable for at least the same reasons.

The Action notes on page 4 that the disclosure of *Ghabra et al.* "teaches a plurality of antennas arranged around the car." The Action also asserts that "signals are received at each of the antenna locations." The vehicle contains two *transmitting* antennas. According to FIG. 1 of *Ghabra et al.*, exterior vehicle antenna 22 and interior vehicle antenna 26 are provided for use in transmitting to the *remote* transceiver 14.

The disclosure of *Ghabra et al.* in view of the disclosure of *King et al.* does not teach, suggest or anticipate claim 21 under 35 U.S.C. § 103(a). Applicant's claim 21, as amended, includes, among other things, "means connected to the control unit for determining a transmission zone of the radio-electric command, having at least two antennas and means for analyzing and/or processing the command received by each antenna so as to determine a transmission zone of the radio-electric command." The disclosure of *Ghabra et al.* discloses transmitting antennas located on the exterior and in the interior of the vehicle. Therefore the disclosure of *Ghabra et al.* does not teach "processing the command received by each antenna" because the two disclosed antennas are transmitting antennas, not receiving antennas. Additionally, the disclosure of *Ghabra et al.* does not resolve the deficiency found in the disclosure of *King et al.*, namely, a signal's electromagnetic characteristics at two points.

Applicant respectfully submits that *Ghabra et al.* in view of *King et al.* does not teach, suggest or anticipate claims 22-26 under 35 U.S.C. § 103(a) based on the same arguments offered on behalf of claims 8-21 and are patentable for at least the same reasons.

It is respectfully submitted that the rejection is without support as it necessarily ignores differences in the teachings of the art, and the absence in the claims of essential elements and structure, which make the claims unobvious to one skilled in the art.

Therefore, it is submitted that *Okada* and *Ghabra et al.* in view of *King et al.* fail to make Applicant's claimed signal interpretation device obvious to one skilled in the art, and the rejection under § 103 must be withdrawn as being without support.

### **CONCLUSION**

Entry of the above amendment and allowance of the claims is respectfully requested in view of the above remarks, in which applicants have pointed out the reasons why the claims 8-26, as amended, are not taught, suggested nor obvious to one skilled in the art from the references *King et al.*, *Okada*, and *Ghabra et al.* Withdrawal of the rejections and allowance of the application is in order and is earnestly requested.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or

informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,  
WELSH & KATZ, LTD.

Date: February 12, 2007

WELSH & KATZ, LTD.  
Customer No. 24628

/Erik B. Flom/  
Erik B. Flom  
Reg. No. 41,021